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PTO/SB/18 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|  |                        |   |
|--|------------------------|---|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><br>(Only for new nonprovisional applications under 37 CFR 1.53(b)) | Attorney Docket No.    | 353.015   |
|  | First Named Inventor   | STEVEN M. LEHMANN   |
|  | Title                  | TORQUE LIMITING MECHANISM FOR A MECHANICAL ASSIST MOBILE STORAGE SYSTEM |
|  | Express Mail Label No. | EL922961061US   |

|   |   |
|---|---|
| <b>APPLICATION ELEMENTS</b><br><br>See MPEP chapter 600 concerning utility patent application contents.   | <b>ADDRESS TO:</b> Assistant Commissioner for Patents<br>Box Patent Application<br>Washington, D.C. 20231                     |
| 1. (X) Fee Transmittal Form (e.g., PTO/SB/17)<br>(Submit an original, and a duplicate for fee processing)   | 8. ( ) Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary)                                     |
| 2. ( ) Applicant claims small entity status<br>See 37 CFR 1.27  | a. ( ) Computer Readable Form (CRF)   |
| 3. (X) Specification [Total Pages <u>16</u> ]<br>(preferred arrangement set forth below, MPEP 1503.01)<br>- Descriptive title of the invention<br>- Cross Reference to Related Applications<br>- Statement Regarding Fed sponsored R & D<br>- Reference to sequence listing, a table, or computer program listing appendix<br>- Background of the Invention<br>- Brief Summary of the Invention<br>- Brief Description of the Drawings (if filed)<br>- Detailed Description<br>- Claims<br>- Abstract of the Disclosure | b. ( ) Specification Sequence Listing on:<br>i. ( ) CD-ROM or CD-R (2 copies); or<br>ii. ( ) paper                            |
| 4. (x) Drawing(s) (35 U.S.C. 113) [Total Sheets <u>3</u> ]  | c. ( ) Statement verifying identity of above copies   |
| 5. Oath or Declaration [Total Pages <u>1</u> ]<br>a. (X) Newly executed (original or copy)<br>b. ( ) Copy from a prior application (37 CFR 1.63 (d))<br>(for continuation/divisional with Box 16 completed)<br>i. ( ) <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33 (b).   | <b>ACCOMPANYING APPLICATION PARTS</b>   |
| 6. ( ) Application Data Sheet. See 37 CFR 1.76  | 9. ( ) Assignment Papers (cover sheet & document(s))  |
| 7. ( ) CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  | 10. ( ) 37 CFR 3.73(b) Statement ( ) Power of Attorney<br>(when there is an assignee)   |
|   | 11. ( ) English Translation Document (if applicable)  |
|   | 12. ( ) Information Disclosure Statement (IDS)/PTO-1449 ( ) Copies of IDS Citations   |
|   | 13. ( ) Preliminary Amendment   |
|   | 14. (X) Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)   |
|   | 15. ( ) Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)  |
|   | 16. (X) Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i) - Applicant must attached form PTO/SB/35 or its equivalent |
|   | 17. ( ) Other: _____  |

16. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

( ) Continuation ( ) Divisional (X) Continuation-in-part (CIP) of prior application No: 09/514,490

Prior application information: Examiner V. Luong

Group / Art Unit: 3682

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

|  |   |           |   |          |   |
|--|---|-----------|---|----------|---|
| <b>17. CORRESPONDENCE ADDRESS</b>                          |   |           |   |          |   |
| <input type="checkbox"/> Customer Number or Bar Code Label |   |           | (Insert Customer No. or Attach bar code label here) |          | or <input checked="" type="checkbox"/> Correspondence address below |
| Name   | Andrew S. McConnell   |           |   |          |   |
| Address  | Boyle, Fredrickson, Newholm, Stein & Gratz, S.C.<br>250 E. Wisconsin Avenue, Suite 1030 |           |   |          |   |
| City   | Milwaukee   | State     | WI  | Zip Code | 53202   |
| Country  |   | Telephone | (414) 225-9755                                      | Fax      | (414) 225-9753  |

|                   |                     |                                   |          |
|-------------------|---------------------|-----------------------------------|----------|
| Name (Print/Type) | Andrew S. McConnell | Registration No. (Attorney/Agent) | 32,272   |
| Signature         |                     | Date                              | 11/13/01 |

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **(\$ 812.00)****Complete if Known**

|                      |                   |
|----------------------|-------------------|
| Application Number   |                   |
| Filing Date          |                   |
| First Named Inventor | Steven M. Lehmann |
| Examiner Name        |                   |
| Group Art Unit       |                   |
| Attorney Docket No.  | 353.015           |

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: **50-1170**

Deposit Account Name: **Boyle Fredrickson Newholm Stein & Gratz S.C.**

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit Card ☐ Money Order ☐ Other

**FEE CALCULATION (continued)**

| 3. ADDITIONAL FEES                |                       |          |                       |  |          |
|-----------------------------------|-----------------------|----------|-----------------------|--|----------|
| Fee Code                          | Large Entity Fee (\$) | Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
| 105                               | 130                   | 205      | 65                    | Surcharge – late filing fee or oath  |          |
| 127                               | 50                    | 227      | 25                    | Surcharge – late provisional filing fee or cover sheet                     |          |
| 139                               | 130                   | 139      | 130                   | Non-English specification  |          |
| 147                               | 2,520                 | 147      | 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                               | 920*                  | 112      | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840*                | 113      | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110                   | 215      | 55                    | Extension for reply within first month                                     |          |
| 116                               | 400                   | 216      | 200                   | Extension for reply within second month                                    |          |
| 117                               | 920                   | 217      | 460                   | Extension for reply within third month                                     |          |
| 118                               | 1,440                 | 218      | 720                   | Extension for reply within fourth month                                    |          |
| 128                               | 1,960                 | 228      | 980                   | Extension for reply within fifth month                                     |          |
| 119                               | 310                   | 219      | 155                   | Notice of Appeal   |          |
| 120                               | 310                   | 220      | 155                   | Filing a brief in support of an appeal                                     |          |
| 121                               | 270                   | 221      | 135                   | Request for oral hearing   |          |
| 138                               | 1,510                 | 138      | 1,510                 | Petition to institute a public use proceeding                              |          |
| 140                               | 110                   | 240      | 55                    | Petition to revive – unavoidable   |          |
| 141                               | 1,240                 | 241      | 620                   | Petition to revive – unintentional   |          |
| 142                               | 1,240                 | 242      | 620                   | Utility issue fee (or reissue)   |          |
| 143                               | 440                   | 243      | 220                   | Design issue fee   |          |
| 144                               | 600                   | 244      | 300                   | Plant issue fee  |          |
| 122                               | 130                   | 122      | 130                   | Petitions to the Commissioner  |          |
| 123                               | 50                    | 123      | 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 126                               | 180                   | 126      | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 581                               | 40                    | 581      | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 146                               | 710                   | 246      | 355                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149                               | 710                   | 249      | 355                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179                               | 710                   | 279      | 355                   | Request for Continued Examination (RCE)                                    |          |
| 169                               | 900                   | 169      | 900                   | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____         |                       |          |                       |  |          |
| *Reduced by Basic Filing Fee Paid |                       |          |                       |  |          |
| SUBTOTAL (3)                      |                       |          |                       |  | (\$0)    |

**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 101                   | 740                   | 201                   | 370                   | Utility filing fee     | 740.00   |
| 106                   | 330                   | 206                   | 165                   | Design filing fee      |          |
| 107                   | 510                   | 207                   | 255                   | Plant filing fee       |          |
| 108                   | 740                   | 208                   | 370                   | Reissue filing fee     |          |
| 114                   | 160                   | 214                   | 80                    | Provisional filing fee |          |

SUBTOTAL (1) **(\$ 740.00)****2. EXTRA CLAIM FEES**

| Total Claims       | Extra Claims | Fee from Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 24                 | -20**= 4     | 18             | 72.00    |
| 3                  | -3**= 0      | 84             | 0        |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description   |
|-----------------------|-----------------------|-----------------------|-----------------------|---|
| 103                   | 18                    | 203                   | 9                     | Claims in excess of 20                                    |
| 102                   | 84                    | 202                   | 42                    | Independent claims in excess of 3                         |
| 104                   | 280                   | 204                   | 140                   | Multiple dependent claim, if not paid                     |
| 109                   | 84                    | 209                   | 42                    | **Reissue independent claims over original patent         |
| 110                   | 18                    | 210                   | 9                     | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) **(\$72.00)**

\*\* or number previously paid, if greater; For Reissues, see above

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**Name (Print/Type) **Andrew S. McConnell**Signature *Andrew S. McConnell*

Registration No. (Attorney/Agent)

32,272

**Complete (if applicable)**

Telephone

414-225-9755

Date

11/13/01

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.

Applicant: STEVEN M. LEHMANN

CERTIFICATE OF EXPRESS MAIL

This is to certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL - POST OFFICE TO ADDRESSEE, in an envelope addressed to BOX PATENT APPLICATION, COMMISSIONER FOR PATENTS, Washington, DC 20231 on November 13, 2001. The Express Mail Label No. is EL922961061US.

Dawn M. Oleszak 11-13-01  
Dawn M. Oleszak Date

POST 458000T

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

STEVEN M. LEHMANN

Title

TORQUE LIMITING MECHANISM FOR A  
MECHANICAL ASSISST MOBILE STORAGE  
SYSTEM

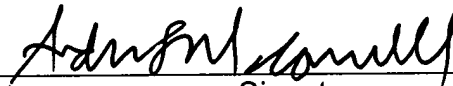
Atty. Docket Number

353.015

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 13, 2001

Date



Signature

Andrew S. McConnell

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(b)(iii)).**